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February 6, 2003

Marlene H. Dorich, Secretary
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Washington, D.C. 20554

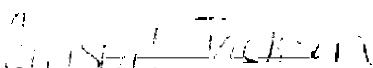
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Re: Application by SBC Communications Inc., et al. for Provision of
In-Region, InterLATA Services in Nevada, WC Docket No. 03-10

Dear Ms. Dorich:

Enclosed is the Recommendation of the Public Utilities Commission of Nevada adopted on December 17, 2002 relating to the application of SBC Communications Inc. for authorization to provide in-region, interLATA services in Nevada. The Nevada Commission recommends that the application be granted.

Respectfully,


Crystal Jackson
Commission Secretary

Enclosure:



CONSUMER DIVISION:

BEFORE THE PUBLIC UTILITIES COMMISSION OF NEVADA

In re Petition for review and approval of the draft)
application by SBC COMMUNICATIONS, INC.,)
NEVADA BELL TELEPHONE COMPANY and) Docket No. 00-7031
SOUTHWESTERN BELL COMMUNICATIONS)
SERVICES, INC., d/b/a NEVADA BELL LONG)
DISTANCE, for provision of in-region interLATA)
services in Nevada.)

At a general session of the Public Utilities
Commission of Nevada, held at its offices on
December 17, 2002.

PRESENT: Chairman Donald L. Soderberg
Commissioner Richard M. McIntire
Commissioner Adriana Escobar Chanos
Commission Secretary Crystal Jackson

RECOMMENDATION IN SUPPORT OF
NEVADA BELL TELEPHONE COMPANY'S APPLICATION
TO THE FEDERAL COMMUNICATIONS COMMISSION FOR PROVISION OF
IN-REGION INTERLATA SERVICES IN NEVADA

The Public Utilities Commission of Nevada ("Commission" or "PUCN") makes the
following findings of fact and conclusions of law:

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I. PROCEDURAL HISTORY

1. On July 24, 2000, Nevada Bell Telephone Company (“Nevada Bell” or “the Company”) filed a petition, designated as Docket No. 00-7031, with the Commission. Nevada Bell requested that the Commission review, conduct hearings concerning, and issue an advisory opinion supporting the proposed Application to the Federal Communications Commission (“FCC”) by SBC Communications, Inc., Nevada Bell, and Southwestern Bell Communications Services, Inc., d/b/a Nevada Bell Long Distance for Provision of In-Region InterLATA Services in Nevada (“Application”).

2. Specifically, Nevada Bell states that it intends to file the Application with the FCC on or after December 1, 2000. Nevada Bell avers that: (i) it has entered into one or more binding interconnection agreements with unaffiliated competitive providers of telephone exchange service (“Competitive Providers”); (ii) the Commission has approved one or more binding interconnection agreements between Nevada Bell and the Competitive Providers pursuant to Section 252 of the Telecommunications Act of 1996 (the “Act”); and (iii) one or more interconnected, unaffiliated Competitive Providers provide telephone exchange service to residential and business subscribers either exclusively, over the Competitive Providers’ own telephone communication facilities, or predominantly, over the Competitive Providers’ own telephone facilities, in combination **with** the resale of the telecommunication services of another carrier. Nevada Bell further alleges that: (i) it has fully implemented the competitive checklist¹; (ii) Nevada Bell will provide in-region, interLATA services in Nevada in accordance with Section 272 of the Act; and (iii) Nevada Bell’s entry into the in-region, interLATA market is consistent with the public interest, convenience, and necessity. In support of its petition, Nevada Bell has filed, among other things, the draft FCC Application and affidavits of subject-matter experts in support of *the* Application.

3. This Petition is filed pursuant to the Nevada Revised Statutes (“NRS”) and the Nevada Administrative Code (“NAC”) Chapters 703 and 704, including but not limited to, NRS

¹ The competitive checklist as specified in Section 271(c)(2)(B) of the Act

703.540 and Section 271(d)(2)(B) of the Act. Nevada Bell has requested, pursuant to NRS 703.190, NAC 703.5274, and Rule 26(c)(7) of the Nevada Rules of Civil Procedure, confidential treatment of, among other things, certain financial information and competitive market analyses contained in the Petition and affidavits in support of the Application,

4. The Commission issued a public notice of this Petition in accordance with State law and the Commission's Rules of Practice and Procedure.

5. On September 6, 2000, the Commission granted leave to intervene to AT&T Communications of Nevada, Inc. (AT&T), Advanced TelCom Group, Inc. ("ATG"), Central Telephone Company - Nevada d/b/a Sprint of Nevada and Sprint Communications Company L.P. ("Sprint"), and WorldCom, Inc. ("WorldCom") based upon their respective demonstrations of having direct and substantial interests in the subject of the proceedings pursuant to NAC 703.595. The Commission also granted leave to the Attorney General's Bureau of Consumer Protection ("BCP"), although it participates as a matter of right, as does the Regulatory Operations Staff ("Staff") of the Commission. The Commission denied leave to intervene to Association of Communications Enterprises ("ASCENT"), New Edge Network, Inc. d/b/a New Edge Networks ("New Edge"), DIECA Communications Company d/b/a Covad Communications Company ("Covad"), Pac-West Telecomm, Inc. ("Pac-West"), and Eschelon Telecom of Nevada, Inc. ("Eschelon") for failure to establish direct and substantial interests as required by NAC 703.595.²

6. On August 2, 2000, AT&T filed a Motion/Protest to Defer Ruling on SBC's 271 Petition Until After August 16, 2000.

7. At a regularly scheduled agenda meeting held on August 3, 2000, the Commission voted to set this matter for further proceedings

8. On August 9, 2000, the Commission issued a Notice of Hearing on Nevada Bell's Petition scheduled to commence on October 17, 2000, and it set forth a procedural schedule for the filing of testimony by the parties in this docket.

² See also Paragraphs 17, 16, 33, 36, and 44 of this Order regarding interventions

9. On August 10, 2000, AT&T filed a Motion to Set an Appropriate Procedural Schedule for Considering SBC's Draft 271 Application. On August 22, 2000, Nevada Bell filed its Response, requesting denial of the Motion, to which AT&T replied on August 31, 2000.

10. On August 24, 2000, Nevada Bell filed a Motion for Uniform Nondisclosure Agreement ("Nondisclosure Agreement") and Discovery Plan. Staff and the BCP filed oppositions to such motion on August 31, 2000; ATG and Pac-West filed their oppositions on September 5, 2000. Also on September 5, 2000, AT&T filed its Response, stating that it would rely on the protective agreement it had already executed and asserted that Nevada Bell's Discovery Plan should be denied. Nevada Bell filed its Reply to Oppositions to Motion for Uniform Nondisclosure Agreement and Discovery Plan on September 7, 2000.

11. On September 8 and 11, 2000, the Presiding Officer conducted duly noticed prehearing conferences in this matter to consider, among other things, whether the hearing date and procedural schedule set for this docket should be modified. At this time, Nevada Bell requested that its motion relating to a Discovery Plan be held in abeyance and withdrew its Motion for Uniform Nondisclosure Agreement based upon consensus by the parties to work out the issue of protective agreements among themselves. ASCENT did not appear at these proceedings.

12. Additional information was presented at the prehearing conference on September 8, 2000, that demonstrated that New Edge and Pac-West have direct and substantial interests in the subject matter of the proceedings pursuant to NAC 703.595. Consequently, on September 14, 2000, the Commission issued an Order granting New Edge and Pac-West leave to intervene in this docket.

13. During the prehearing conference, the parties discussed the issue of operation support system ("OSS") testing in California, the results of which could have an impact upon a number of the competitive checklist items with which Nevada Bell must comply pursuant to Section 271 of the Act. ATG, AT&T, and the BCP agreed with Staff that in order to develop the comprehensive factual record necessary to provide a substantial evidentiary basis for FCC-

review of Nevada Bell's filing, it was essential that the parties be afforded the opportunity to review and analyze the results of the regional strategy that relies on California OSS-testing, as well as that based on actual Nevada commercial volume. However, the California-OSS testing results were not anticipated to be available until late October or early November of 2000.

14. Nevada Bell suggested that in order to expedite the orderly conduct and disposition of this docket, the hearing would best proceed if divided into two phases. It was resolved that the first phase would encompass hearings only upon those checklist items whose subject matter were not dependent upon the results of OSS testing in California. The second phase, which would not commence until after the Commission's receipt of the California-OSS-testing results, would encompass the subject matter concerning those checklist items that may be impacted by such testing results. Nevada Bell agreed to provide a Matrix to the Commission and each party in this docket that would, in as much detail as possible, correspond the testimony regarding the subject matter of the various checklist items to the appropriate Nevada Bell witnesses. The prehearing conference for Phase Two would be continued to December 4, 2000, for purposes of monitoring the status and progress of this docket and determining whether any modifications to the procedural schedule for Phase Two were necessary.

15. On September 18, 2000, Nevada Bell filed its Performance Measures Matrix.

16. On September 21, 2000, ASCENT filed a Motion for Reconsideration of the Commission's Order denying ASCENT's intervention in this docket. Staff and the BCP filed responses in support of the motion on September 28 and 29, 2000, respectively. Nevada Bell filed its response on October 3, 2000, to state that it did not oppose ASCENT's intervention. On November 21, 2000, the Presiding Officer reaffirmed the denial of ASCENT's intervention in this matter.

17. On September 22, 2000, the Commission issued a Re-Notice of Hearing in this docket that vacated the existing procedural schedule set for the filing of testimony and reiterated that the hearing on Nevada Bell's petition would be conducted in two phases. The topics for hearing in Phase One of this docket were stated as follows: State Regulatory Background; State

of Competition; Network; Wholesale Policy; Wholesale Account Management; Accounting Safeguards; Number Administration; Poles, Ducts, Conduits and Rights-of- Way; OS/DA/White Pages; L1DB/CNAM/OSMAP; and Billing. The Re-Notice of Hearing provided that upon receipt of the California OSS testing results, the Commission would issue a Notice of Hearing in Phase Two of this docket which would encompass the following matters: Number Portability; Local Service Center; Local Operations Center; Performance Measures; Operations Support Systems; Test of OSS; Public Interest and Economic Analyses; 272 Compliance; Advanced Services; and any Phase I issue that may be impacted by the California OSS-testing results.

18. The Re-Notice of Hearing also set forth a revised procedural schedule for the filing of testimony in Phase One and provided that the Commission would not issue an Order in this docket until after all of the evidence had been submitted and both phases of the hearing were completed.

19. On September 26, 2000, the Presiding Officer issued Procedural Order No. 1 in which the topics of the Phase One and Phase Two Orders were described and the procedural schedule for the filing of testimony provided in both phases. The Order prescribed that the matrix to be filed by Nevada Bell concerning Phases One and Two of this docket would not be considered as evidence in these matters, but would be utilized only as a tool to facilitate the harmonization of Nevada Bell's witness' testimony to competitive checklist items. In addition, the Order provided that a prehearing conference would be conducted on December 4, 2000, in order to monitor the status and progress of this docket and to determine whether any modifications to the procedural schedule for Phase Two were necessary.

20. On October 3, 2000, **ATG**, Pac-West and WorldCom jointly filed a Motion to Dismiss the Application ("Motion to Dismiss") contending that the Application failed to meet the threshold Track **A** requirement of Section 271(c)(1)(A) of the Act, a condition precedent to entering into the competitive, long-distance market. Nevada Bell filed its Response in opposition to the Motion to Dismiss on October 10, 2000. Staffs Response, as filed on October 12, 2000, suggested that the Commission deny the Motion to Dismiss and allow the case to

proceed as valid legal arguments could probably be made on both sides of the issue. AT&T filed its response on October 13, 2000, stating that Nevada Bell's application was unclear as to what it was relying upon to satisfy the Track A requirements. On October 13, 2000, the BCP advanced its support for dismissal of Nevada Bell's application. ATC, Pac-West and WorldCom filed their reply to the responses to the Motion to Dismiss on October 17, 2000.

21. On October 9, and October 13, 2000, respectively, WorldCom and ATG filed Motions to Compel Responses to Discovery and Postpone the Schedule and Hearing ("Motions to Compel and Postpone"). Both parties contended that Nevada Bell had failed to respond to their data requests. Nevada Bell denied these assertions, stating in its objections that some of the information requested was equally available to WorldCom and ATG, and in any event, because it had provided substantive responses, the Motions to Compel and Postpone should be denied as moot. Staff stated in its Response filed on October 16, 2000, that because it has not become involved in the specific details of any discovery disputes between Nevada Bell and other parties to this proceeding, it did not take any specific position as to the complaints raised in the Motions to Compel and Postpone. WorldCom filed its Reply to the Responses thereto on October 19, 2000.

22. On October 17, 2000, the Presiding Officer issued Procedural Order No. 2 to state that pending consideration of and ruling on the Motions to Compel and Postpone, the current procedural schedule for the filing of testimony would be vacated and the deadlines for the filing of prepared testimony and rebuttal testimony would be extended in accordance with its Order. The hearing would commence on October 24, 2000, as currently scheduled.

23. On October 24, 2000, the duly noticed hearing commenced in Phase One of this docket. ASCENT neither sent a representative to appear, nor did it provide any explanation to the Commission why a representative could not appear at these proceedings.

24. In addition, the Presiding Officer denied WorldCom's and ATG's Motions to Compel and Postpone based upon the Commission's understanding that the information requested was

available through a variety of resources, including the Commission's website. (See Transcript ("Tr.") of Oct. 24, 2000 at pg. 5.)

25. During the proceedings on October 24, 2000, the Presiding Officer stated that based upon the threshold issues raised by the Motion to Dismiss, the Commission would initially consider evidence and testimony only as to whether Nevada Bell demonstrated compliance with the requirements of Section 271 of the Act, known as Track **A**. Once the record was sufficient in this regard, the Commission would issue a ruling on the Motion to Dismiss and determine whether the hearing in both phases of this docket would continue.

26. Hearing on the Track **A** issues was conducted in Phase One of this docket on October 23 and October 25, 2000.

27. At a regularly scheduled agenda meeting on October 31, 2000, the Commission voted to deny the Motion to Dismiss. In its written Order issued on November 7, 2000, the Commission reasoned that while based upon the evidence presented at the hearing thus far, Nevada Bell had not conclusively demonstrated compliance with all of the requirements of Section 271 of the Act or any facts that would qualify it under an existing FCC analysis, the public interest in fostering the development of long-distance competition and promotion of the local service market in this state was sufficient to deny the Motion to Dismiss. The Commission believed that it was the Commission's responsibility to undertake the initial analysis, develop a record, and permit the FCC to examine that record and exercise its authority under the Act.

28. On November 15, 2000, Nevada Bell filed a Motion for Limited Departure from Section 703.540(4) of the NAC ("Motion for Departure"), which requires the Commission to rule on a petition within 120 days after the date on which the Commission set such petition for further proceedings. On November 20 and 22, 2000, respectively, Staff and the BCP filed their Responses in support of the Motion for Departure from the 120-day review period. **Also** on November 22, 2000, AT&T, as well as ATG, Pac-West and WorldCom collectively, filed their Responses in Opposition to the Motion for Departure. On November 29, 2000, Nevada Bell filed its Reply in support of the Motion. **At** a regularly scheduled agenda on November 30,

2000, the Commission voted to grant the Motion for Departure and thus extended the 120-day review period, but declined to specify a date certain by which a Commission ruling in this docket must be made. The Commission's Order memorializing its decision was issued on December 4, 2000.

29. Following conclusion of the hearing isolated to the Track **A** issues, the hearing in Phase One resumed on November 1, 2000, and concluded on December 5, 2000. The parties that participated in Phase One were Nevada Bell, **ATG**, WorldCom, Pac-West, AT&T, the BCP and Staff.

30. On December 4, 2000, the prehearing conference for Phase Two of the proceedings was continued. It was initially continued to January 3, 2001, and then to February 8. and March 22. 2001

31. On January 3, 2001, Nevada Bell filed the OSS Test Final Report with the Commission

32. During the prehearing conference held in the Phase Two proceedings on February 8, 2001, it was determined that the hearing in Phase Two would proceed in two subphases, **A** and **B**.

33. On March 1, 2001. Eschelon filed a late-filed Petition for Leave to Intervene. On March 14, 2001, Nevada Bell filed an Answer to Eschelon's Petition for Leave to Intervene. On March 16, 2001, the Presiding Officer issued an order denying Eschelon's request.

34. On March 30, 2001, the Presiding Officer issued Procedural Order No. 4 extending the filing deadlines for Phase Two-B testimony and continuing the prehearing conference in Phase Two-B to May, 3, 2001

35. The hearing in Phase Two-A was conducted on April 9, 10, and 11, 2001, covering the following topics: Public Interest, Accounting Safeguards, Economic Impacts, and 272 Compliance.

36. At a continued prehearing conference held on May 3, 2001, New Edge and Sprint failed to appear and failed to provide the Commission with a valid reason for their failure to

appear. On May 5, 2001, the Presiding Officer issued an order dismissing New Edge and Sprint as interveners in this matter.

37. On May 10, 2001, PricewaterhouseCoopers LLC tiled a Third-party Attestation Report with the Commission pursuant to Procedural Order No. 4.

38. On May 24, 2001, the Commission issued a Notice of Hearing for Phase Two-B to commence July 30, 2001. On June 5, 2001 a revised Notice of Hearing was issued.

39. On June 21, 2001, a prehearing conference was held regarding Phase Two-B, during which a new procedural schedule was adopted and further memorialized in Procedural Order No. 5. The prehearing conference was continued until July 26, 2001, and the hearing scheduled for July 30, 2001, was continued until August 20, 2001.

40. Also on June 21, 2001, ATG filed a Motion to Compel Discovery relating to information and documents relied on by Nevada Bell witnesses, Theodore V. Schaeffer and James J. Murphy. On June 28, 2001, Staff and Nevada Bell both filed Responses to ~~ATG's~~ Motion to Compel. On July 5, 2001, **ATG** filed its Reply. On July 23, 2001, the Presiding Officer issued an Order Denying in Part and Granting in Part ATG's Motion to Compel. On July 25, 2001, Nevada Bell filed its Notice of Compliance with Discovery Order.

41. Nevada Bell filed a Motion to Modify Procedural Schedule on August 8, 2001, and on August 13, 2001, filed an Addendum to its Motion. On August 14, 2001, Staff filed its Response and Nevada Bell filed its Reply. On August 15, 2001, **ATG**, AT&T, WorldCom and Pac-West filed their Response to Nevada Bell's Motion to Modify Procedural Schedule. On August 22, 2001, Nevada Bell filed its Reply to **ATG**, ~~AT&T~~ WorldCom and Pac-West's Response.

42. On August 20, 2001, the Presiding Officer issued an Order Granting in Part and Denying in Part Nevada Bell's Motion to Modify Procedural Schedule. The Order outlined dates for Supplemental Testimony, cancelled the August 20, 2001 hearing date, and set a new hearing date of October 15, 2001.

43. A hearing in Phase Two-B was noticed to commence on October 15, 2001, and subsequently renoticed to commence on October 22, 2001.

44. On October 15, 2001, ATG filed a withdrawal of its intervention and prefiled testimony.

45. The hearing in Phase Two-B was conducted on October 22, 2001, and covered the following topics: Structural Separation of Advanced Services, Wholesale Provisioning of Advanced Services, Performance Measures and Incentives, Operations Support Systems, Test of Operations Support Systems, Local Service Center, Local Operations Center, Local Number Portability, Local Network, "sameness" between anchor and satellite states as discussed in the Kansas and Oklahoma 271 Orders issued by the FCC, and any Phase One issue that may be impacted by the California OSS-testing results.

46. At the hearing, the participating parties presented an Oral Stipulation on the record, which was further memorialized on November 5, 2001 as Procedural Order No. 6. Therein, the Presiding Officer directed Nevada Bell to file the final order in the Pacific Bell Telephone Company ("Pacific Bell") 271 Application ("CA Order") currently pending before the California Public Utilities Commission ("California Commission" or "CPUC") with the Commission. Following the filing of the **CA** Order, the parties were directed to file briefs with the Commission on the entire Nevada matter. Thereafter, if no request were submitted by any party to reopen the hearing, the matter would stand for Commission action.

47. On September 26, 2002, Nevada Bell filed the **CA** Order with the Commission.

48. On October 16, 2002, AT&T, Staff, Nevada Bell, WorldCom, and BCP filed Opening Briefs with the Commission. On November 5, 2002, AT&T, Staff, Nevada Bell, WorldCom, and BCP filed Reply Briefs with the Commission.

II. INTRODUCTION

49. Through Nevada Bell's Petition, filed July 24, 2000, Nevada Bell requested that the Commission commence a proceeding to investigate whether Nevada Bell had complied with the

provisions of 47 U.S.C. § 271. Nevada Bell filed the Petition to allow the Commission to consult with the FCC pursuant to 47 U.S.C. § 271(d)(2)(B).

50. In this proceeding, the Commission must make a recommendation to the FCC on one question: Has Nevada Bell taken the steps required by the Act to open its local exchange market to competition? The Commission believes that based on the record established before the Commission, which was closed on October 22, 2001, it can recommend that Nevada Bell has taken the steps required by the Act. That record, like the record in any proceeding before the Commission, represents a “snap-shot” in time. Specifically, the record before the Commission in this investigative docket was developed through prefiled testimony and in the course of hearings that were conducted between October 24, 2000, and October 22, 2001.³

51. Nevada Bell has deployed systems, processes, and procedures that allow Nevada Bell’s wholesale customers a meaningful opportunity to compete for retail customers. Wholesale customers receive nondiscriminatory access to the panoply of pre-ordering and ordering functions available to the Nevada Bell’s retail operation. Nevada Bell does not discriminate against competitive providers when it provisions, maintains, and repairs wholesale services and products. Nevada Bell provides accurate and complete billing information to its wholesale customers in a timely manner. Nevada Bell, in short, has taken necessary and sufficient acts to open its local exchange market to competition.

52. The results of Nevada Bell’s efforts are readily observable. Competitive providers have entered and serve the local market for both residential and business customers, offering a

The parties in this docket stipulated post-hearing briefs would be submitted to the Commission based on the state of the record as of October 22, 2001, as augmented only by Nevada Bell’s filing of the decision of the California Public Utilities Commission on Pacific Bell Telephony Company’s state application for relief under Section 271 of the Act. See Procedural Order No. 6, Petition for Review and Approval of the Draft Application by SBC Communications Inc., Nevada Bell Telephone Company and Southwestern Bell Communications Services, Inc. d/b/a Nevada Bell Long Distance, for Provision of In-Region InterLATA Services Nevada, P.U.C.N. Docket No. 00-7031, ¶ 5 (iss. Nov. 5, 2001). The Federal Communications Commission (“FCC”) will examine both the record on which the Commission relies in conducting its consultation under Section 212 of the Act and an updated filing by the Company that accompanies the federal application and reflects the most current information. This is the same process that has occurred in prior Section 271 cases before the FCC. See, e.g., Memorandum Opinion and Order, Joint Application by SBC Communications Inc., Southwestern Bell Telephone Company and Southwestern Bell Communication Service, Inc. d/b/a Southwestern Bell Long Distance For Provision of In-Region InterLATA Services in Kansas and Oklahoma, FCC 01-29, CC Docket No. 00-217, ¶¶ 1 & 12-13 (rel. Jan. 22, 2001).

complete array of telecommunication services. Nevada consumers may choose from among a number of facilities-based integrated communications providers and resellers who offer local, long-distance, and data services over advanced digital networks.

111. FACTUAL HISTORY

A. Nevada Bell's service territory⁶

53. Nevada is unique among states in which Bell Operating Companies ("BOCs") have either obtained or applied to the FCC for authority to originate interLATA services. Nevada Bell does not serve Nevada's primary population center – Las Vegas. Instead, Nevada Bell's service area encompasses approximately 48,000 square miles, a service area larger than the land area of 19 states. Most of the area is sparsely populated rural territory. Seven of Nevada Bell's central office wire centers are designated as metropolitan. **As** of the date of the filing, nine wire centers are in suburban areas and twenty-five wire centers are rural. Despite its broad expanse, the Company's service territory is also very urbanized.

54. Nevada Bell's approximately 373,000 access lines provide local exchange service to some 210,000 customers in 13 of Nevada's 17 counties. About 75 percent of these lines and customers are located in the Reno-Sparks-Carson City metropolitan area and can be served by interconnection in a handful of central offices. The remaining customers and lines are widely distributed over small communities in 11 rural counties. Indeed, as of July 2000, by collocating telecommunications equipment in 9 wire centers, competitive local exchange carriers ("CLECs") were positioned to serve 84 percent of the Company's business access lines and 74 percent of its residential access lines.

55. Nevada Bell's relatively large service area is divided into seven defined extended area dialing ("EAD") areas. The boundaries of the seven EADs were approved by the Commission

⁶ See generally Exhibit 10, Bush Direct Testimony; Exhibit 22, Pre-filed Direct Testimony of Terry J. Redmon and Draft Affidavit of James R. Riley ¶¶ 17-22 ("Redmon Direct Testimony"); Exhibit 56, Rebuttal Testimony of Larry D. Bush ("Bush Rebuttal Testimony"); Exhibit 2, Draft Brief in Support of Application to Federal Communications Commission.